

REMARKS

Claims 1, 15, 17, 19, 23, 24 and 25 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. This rejection is traversed for the following reasons. The Examiner takes issue with the term "detector corrections" and states that "detector correction" is not defined by the claim and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention. Applicants respectfully disagree. First, detector corrections are known corrections in the art as represented by U.S. Patent 6,614,874 which teaches performing detector corrections at step 310. Further, Applicants' specification defines exemplary detector corrections in paragraph [0020] of Applicants' specification. Specifically, this paragraph includes "[s]uch detector corrections are known in systems employing flat panel detectors and include techniques such as bad pixel/line correction, gain map correction, etc., as well as corrections specific to dual energy imaging such as laggy pixel corrections." Thus, one of ordinary skill will appreciate the meaning of the term "detector corrections" in the claims.

As noted in MPEP § 2173.04, breadth of a claim is not to be equated with indefiniteness. *In re Miller*, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. § 112, second paragraph. Claims 1, 15, 17, 19, 23, 24 and 25 broadly recite detector corrections, but this does not render the claims indefinite. Accordingly, the rejection under 35 U.S.C. § 112, second paragraph should be withdrawn.

Claims 1, 4, 5, 7, 8, 10-15, 17 and 19-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of Jabri (6,683,934). It is noted that the subject matter of this application and U.S. Patent 6,683,934, at the time of the invention of the subject matter of this application, were commonly owned or subject to an obligation of assignment to the same entity, namely GE Medical Systems Global Technology Company, LLC. Therefore, under 35 U.S.C. § 103(c), U.S. Patent 6,683,934 cannot be cited against this application in an obviousness rejection. Accordingly, the rejection of claims 1, 4, 5, 7, 8, 10-15, 17 and 19-25 should be withdrawn.

Claims 16 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of Jabri (6,683,934) and Nicolas. As noted above, under 35 U.S.C. § 103(c), U.S. Patent 6,683,934 cannot be cited against this application in an obviousness rejection. Accordingly, the rejection of claims 16 and 18 should be withdrawn.

In view of the foregoing remarks, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 07-0845 maintained by Applicant's Assignee.

Respectfully submitted,

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